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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 **E.E by and through her guardian ad litem**  
15 **A.J. and L.N. by and through his guardian**  
16 **ad litem K.N., on behalf of themselves and a**  
17 **class of those similarly situated; and**  
**DISABILITY RIGHTS EDUCATION &**  
**DEFENSE FUND,**

18 Plaintiffs,

19 v.

20 **STATE OF CALIFORNIA; CALIFORNIA**  
21 **STATE BOARD OF EDUCATION; and**  
22 **CALIFORNIA DEPARTMENT OF**  
**EDUCATION,**

23 Defendants.

3:21-cv-07585-SI

**[PROPOSED] ORDER**

Judge: The Honorable Susan Illston  
Trial Date: TBD  
Action Filed: September 28, 2021

25 The Court has considered the parties' Joint Motion for Vacatur and Request for  
26 Depublication in the above captioned matter. With good cause being shown, the Court GRANTS  
27 the parties' Joint Motion and ORDERS as follows:  
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1           1. The Court's decision granting Plaintiffs' request for a temporary restraining order,  
2 published as *E.E. v. State of California*, 570 F.Supp.3d 759 (N.D. Cal. 2021), is vacated and shall  
3 be depublished;

4           2. The Court's decision granting Plaintiffs' request for a preliminary injunction,  
5 published as *E.E. v. California*, 2022 WL 597035 (N.D. Cal. Feb. 28, 2022), is vacated and shall  
6 be depublished.

7           IT IS SO ORDERED.

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9           Dated: \_\_\_\_\_

\_\_\_\_\_  
10           Hon. Susan Illston  
11           Judge of the U.S. District Court  
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## CERTIFICATE OF SERVICE

Case Name: **E.E.; A.J.; L.N.; through  
guardian ad litem K.N., et al. v  
State of California; SBE; and  
CDE**

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No. **3:21-cv-7585**

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I hereby certify that on July 18, 2022, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

### PROPOSED ORDER

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on July 18, 2022, at Los Angeles, California.

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Gail Agcaoili  
Declarant



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Signature